

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

E.H., et al.,

Plaintiffs,

v.

CALIFORNIA EXPOSITION & STATE
FAIR, et al.,

Defendants.

No. 2:22-cv-01844-DAD-DB

ORDER APPOINTING GUARDIAN AD
LITEM

(Doc. No. 4)

On May 23, 2019, plaintiff Cynthia Martin filed an *ex parte* motion to be appointed guardian ad litem for plaintiff E.H. for purposes of this action. (Doc. No. 4.)

“District courts have a special duty, derived from Federal Rule of Civil Procedure 17(c), to safeguard the interests of litigants who are minors.” *Robidoux v. Rosengren*, 638 F.3d 1177, 1181 (9th Cir. 2011). Rule 17 provides that “[t]he court must appoint a guardian ad litem—or issue another appropriate order—to protect a minor or incompetent person who is unrepresented in an action.” Fed. R. Civ. P. 17(c)(2). Local Rule 202(a) of this court further states, in pertinent part:

Upon commencement of an action or upon initial appearance in defense of an action by or on behalf of a minor . . . the attorney representing the minor or incompetent person shall present . . . a motion for the appointment of a guardian *ad litem* by the Court, or . . . a showing satisfactory to the Court that no such appointment is necessary to ensure adequate representation of the minor or

1 incompetent person. *See* Fed. R. Civ. P. 17(c).

2 The decision to appoint a guardian ad litem “must normally be left to the sound discretion of the
3 trial court.” *United States v. 30.64 Acres of Land*, 795 F.2d 796, 804 (9th Cir. 1986).

4 Plaintiff Martin seeks to be appointed as the guardian ad litem to plaintiff E.H., a minor
5 child. Plaintiff Martin states that she is the biological mother of plaintiff E.H., that she maintains
6 sole custody of plaintiff E.H., that she is prepared to protect the interests of plaintiff E.H. to the
7 best of her ability, and that she has no conflicts of interest that would prevent her appointment as
8 guardian ad litem of E.H. (Doc. No. 4-1 at 1.) Finding good cause, the court grants plaintiff
9 Martin’s motion (Doc. No. 4) and appoints plaintiff Cynthia Martin as guardian ad litem of E.H.,
10 a minor and plaintiff in this action.

11 IT IS SO ORDERED.

12 Dated: October 22, 2022

13 
14 _____
15 UNITED STATES DISTRICT JUDGE
16
17
18
19
20
21
22
23
24
25
26
27
28